

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

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ARNULFO MARQUEZ and MARIA  
GUADALUPE MARQUEZ, individually and  
as next friend of minors L.R.M, L.T.M, C.M.,  
A.M., Jr., K.M., and A.L.M; MATIAS  
TORRES, individually and as next friend of  
minors G.C., A.C., and M.T. Jr.; MARIA  
VICTORIA MOLINA, individually and as  
next friend of minors J.M., A.T.M., and E.M.;  
MARIA ELENA TORRES; and MOISES  
TORRES,

Plaintiffs,

v

RICHTER FARMS LLC; RONALD F.  
RICHTER; JORGE L. VILLANUEVA; and  
BEATRIZ SANDOVAL VILLANUEVA,

Defendants.

Case No. 1:14-cv-30  
Honorable Janet T. Neff

**BRIEF IN SUPPORT OF JOINT MOTION  
FOR APPROVAL OF SETTLEMENT  
AGREEMENT**

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Plaintiffs and Defendants jointly move for approval of the parties' settlement agreement and dismissal of this case with prejudice. "When employees bring a private action for back

wages under the FLSA, and present to the district court a proposed settlement, the district court may enter a stipulated judgment after scrutinizing the settlement for fairness." *Lynn's Food Stores Inc. v. United States*, 679 F.2d 1350, 1353 (11th Cir. 1982).<sup>1</sup> Here, the settlement agreement is fair in that the amount of the settlement attributable to the working Plaintiffs' FLSa (or the higher Michigan Minimum Wage claims) bears a reasonable relationship to the amount in dispute, the costs of proceeding with the litigation, and the risks of proceeding with the litigation. In addition, Plaintiffs have recommended the settlement as being fair and reasonable. Accordingly, the Court should approve the settlement.

Date: March 19, 2015

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Date: March 19, 2015

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<sup>1</sup> Please note that the FLSA's requirement of Court approval of the settlement agreement does not apply to the minor Plaintiffs in this lawsuit because they were not employees of Defendants and did not assert FLSA claims in the suit. The Guardian *ad litem* appointed by the Court to review the settlement agreement has found it to be reasonable with respect to the (non-working) minor Plaintiffs' claims. Plaintiffs will file a renewed unopposed motion for approval of the minor Plaintiffs' claims.